



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8  
999 18<sup>TH</sup> STREET - SUITE 300  
DENVER, CO 80202-2466  
<http://www.epa.gov/region08>

Ref: 8ENF-T

MAR 29 2001

Mr. Thomas W. Korver  
Legal Assistant  
Holme Roberts & Owen LLP  
1700 Lincoln St., Suite 1400  
Denver, Colorado 80203-4541

Re: Freedom of Information Act  
Raintree Nursery, Mel Parker  
Lerah Parker, Libby, MT  
No. 08-RIN-057-01

Dear Mr. Korver:

This letter is in response to your Freedom of Information Act request for documents concerning the Libby Asbestos Site in Libby, MT. Enclosed are documents responsive to your request.

A bill for \$121.45 will be sent under separate cover. Those costs include search and review time of \$40.00, and \$81.45 for 543 pages of photo copies @ \$.15 per page.

EPA has provided access to the Internet for the following frequently-requested data bases: CERCLIS, AIRS, AFS, RCRIS, TRIS, FINDS, PCS, WATER Discharge Permits, EMCI, and LRT. The Internet address is <http://www.epa.gov/region8>. Select "FOIA", then go to About Region 8, then Freedom of Information. Questions can be directed to the Internet Helpline at 1-800-334-2405 (dial "0" when they answer). The phonelines are staffed from 7:30 am to 8:00 pm EST. If you do not have access to the Internet, please note that many public libraries do have this access and offer it for public use.

If you have further questions regarding this matter, please contact Kelcey Land at (303) 312-6393.

Sincerely,

Sharon K. Kercher

Technical Enforcement Program  
Office of Environmental Compliance  
and Environmental Justice



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Kelcey Land  
02/15/2001 06:01 PM

To: Consuelo Dominguez/ENF/R8/USEPA/US,  
cc: Lynn Sims/ENF/R8/USEPA/US, Sharon Kercher/ENF/R8/USEPA/US,

Subject: FOIA 57-01

I am confused about FOIA 57-01 - Lynn just brought this to me earlier this week (Tuesday) - the routing slip on the FOIA from you, Consuelo, is dated 2/1/01 - but the FOIA is dated 11/22/00 and was due 12/21/00. Why am I just now getting a FOIA that is nearly two months overdue? Can someone please tell me why this happened - in this case, the FOIA requester happens to be a major PRP and is very litigious. It isn't quite as simple as just asking for an extension now, because we are way past the due date. Is there something we can do to prevent this in the future? Thanks - Kelcey

*received  
responsive  
docs from  
Matt on 2/22/01*

# Freedom of Information Act Request

08-RIN-00000-01

57

Requestor: THOMAS KORVER Request Date: 11/22/2000  
Company: HOLME ROBERTS & OWEN Date Received: 11/22/2000  
Fee Category: Commercial Acknowledged: 11/22/2000

Subject: RAINTREE NURSERY; MEL PARKER; LERAH PARKER  
INFORMATION

Lead Office:

Assigned to: 08-ENF

Original Due Date: 12/21/2000

New Due Date:

Track: BASIC

Fee Waiver  
Requested: NO

FIS Initials: VF

## SPECIAL INSTRUCTIONS:

IF COSTS ARE EXPECTED TO EXCEED  
\$25, CONTACT REQUESTER FOR  
PAYMENT COMMITMENT BEFORE  
PROCESSING REQUEST.

REC'D BY:

DATE

*Assign to  
Lynn Sims  
See Kelley Land  
Matt Cohn*

*SR*

*Per Korver  
on 12/7/01  
get  
copies  
made*

*can to pick  
up when FOIA  
completed*

*OK to have  
completed  
by Mon  
4/2/01*

Holme Roberts & Owen LLP

November 22, 2000

RECEIVED  
2000 NOV 22 PM 1:27

FOIA OFFICE  
HRO

Via Facsimile (303) 312-6961

Regional Freedom of Information Office  
Region 8, Mailcode:8-OC  
U.S. Environmental Protection Agency  
999 18th Street, Suite 500  
Denver, Colorado 80202

ENR

Re: Request for Public Records

(8) RIN 57-01

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, I hereby request copies of the following documents.

Any and all documents connected with payments by EPA to Mel Parker, Lerah Parker, or Raintree Nursery in connection with EPA's investigation or remediation of areas in the general vicinity of Libby, Montana, including, but not limited to documents which refer, relate or concern:

1. Any and all inventories of real or personal property, merchandise, or other items purchased from Mel Parker, Lerah Parker, or Raintree Nursery;
2. Any and all summaries of amounts paid to Mel Parker, Lerah Parker, or Raintree Nursery;
3. Any and all invoices from Mel Parker, Lerah Parker, or Raintree Nursery for real or personal property, merchandise, or other items purchased by EPA;
4. Any and all copies of checks provided to Mel Parker, Lerah Parker, or Raintree Nursery in payment for real or personal property, merchandise, or other items purchased by EPA;
5. Any and all contracts or other agreements between EPA and Mel Parker, Lerah Parker, or Raintree Nursery;
6. Any and all documents and/or communications between EPA and Mel Parker, Lerah Parker or Raintree Nursery concerning liability protection or liability

*Attorneys at Law*

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Denver  
Salt Lake City  
Boulder  
Colorado Springs  
London

**Holme Roberts & Owen LLP****U.S. Environmental Protection Agency, Region 8****FOIA Officer****Page 2**

limitations for the Parkers or Raintree Nursery, including, but not limited to, releases, indemnities, covenants not to sue, or contribution protection; and

7. Any and all communications between EPA and Mel Parker, Lcrah Parker or Raintree Nursery concerning the purchase of real or personal property, merchandise, or other items.

I am prepared to pay for reasonable charges incurred in responding to my request. However, should the amount exceed \$500, please contact me before the charges are incurred.

If you or your designee have any questions or concerns with respect to my request, please contact me as soon as possible. Thank you for your consideration.

Regards,



Thomas W. Korver  
Legal Assistant